

*Subsec*

RESOLUTION NO. 3746

AUTHORIZING AND DIRECTING CONDEMNATION OF  
REAL PROPERTY FOR STREET AND UTILITY PURPOSES  
AND ELECTRIC POWER FACILITIES

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BE IT RESOLVED by the Council of the City of Lodi as follows:

The Council of the City of Lodi finds, determines, and hereby declares:

- (1) That the public interest, necessity, and convenience require the acquisition, construction, and completion in the City of Lodi of a public improvement, to-wit: Street widening and the installation of electric power facilities and other utility services on and across certain real property located on Lower Sacramento Road, South of Turner Road, in the City of Lodi, San Joaquin County, California.
- (2) That the real property hereinafter described is suitable, adaptable, necessary, and required for the public use of said City of Lodi, as hereinabove set forth.
- (3) That the City of Lodi acquire the hereinafter-described real property for street widening, utility, and electrical power distribution purposes, by donation, purchase or by condemnation in accordance with the provisions of the Code of Civil Procedure of the State of California, relating to eminent domain. That the City Attorney is hereby authorized to prosecute in the name of the City of Lodi, any and all actions or proceedings required to acquire the necessary land and/or to fix the compensation to be paid for property damage resulting from the construction and maintenance of said improvements; and in the absence of a satisfactory price agreement with the owner of the land, the City Attorney is hereby directed to immediately commence proceedings under Title Seven, Part Three of the Code of Civil Procedure of the State of California to condemn the property hereinafter described for the purpose of taking said land for the public use of said City as hereinabove set forth.
- (4) To acquire in the name of the City of Lodi, a fee simple estate in and to the said hereinafter-described real property by condemnation in accordance with the provisions of the Streets and Highways Code, Code of Civil Procedure, and the Constitution of California relating to eminent domain.
- (5) To make application to a Court of competent jurisdiction for an order fixing the amount of such security in the way of money deposits as said Court may direct, and for an order permitting said City of Lodi to take immediate

possession and use of said property, or interest in real property, or existing improvements for the public use as hereinabove set forth; to make deposit of such security or moneys in such amount so fixed and determined and in such manner as said Court in which such condemnation proceedings are pending may direct.

(6) The real property, or interest in real property which the City of Lodi is by this Resolution authorized to acquire for said public improvements are situate in the City of Lodi, County of San Joaquin, State of California, and is particularly described as follows:

A portion of the Southeast Quarter of Section 3, Township 3 North, Range 6 East, Mount Diablo Base and Meridian, City of Lodi, San Joaquin County, California, and being more particularly described as follows:

Commencing at the Northwest corner of the Southeast Quarter of said Section 3; thence South 0° 37' East along the West line of said Southeast Quarter, 302.00 feet to the true point of beginning; thence North 89° 31' 30" East parallel to the North line of said Southeast Quarter, 113.26 feet; thence South 25° 40' 01" West 17.90 feet; thence along a curve to the left having a radius of 100.00 feet, a central angle of 26° 17' 01", an arc length of 45.87 feet, and a chord which bears South 12° 31' 31" West 45.47 feet; thence South 0° 37' East 110.51 feet to the North line of the Survey shown in Book 21 of Surveys at page 174, San Joaquin County Records; thence South 89° 51' 30" West along the North line of said Survey 95.0 feet to the West line of the Southeast Quarter of said Section 3; thence along said West line, North 0° 37' West 171.0 feet to the true point of beginning. Excepting the West 40 feet thereof for County roadway and containing 0.225 acres, more or less.

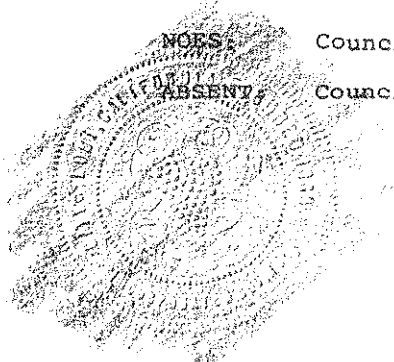
DATED: March 21, 1973.


I hereby certify that the foregoing resolution was passed and adopted by the City Council of the City of Lodi in regular meeting held March 21, 1973, by the following vote:

AYES: Councilmen - EHRHARD, HUGHES, KATNICH,  
PINKERTON, and SCHAFER

NOES: Councilmen - None

ABSENT: Councilmen - None



  
BESSIE BENNETT, City Clerk